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SENATE BILL 222

46TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2004

INTRODUCED BY

H. Diane Snyder

AN ACT

RELATING TO JUDGES; PROVIDING FOR SALARIES OF CHIEF JUDGES;
AMENDING A SECTION OF THE NMSA 1978; MAKING AN APPROPRIATION.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. Section 34-1-9 NMSA 1978 (being Laws 1993,
Chapter 278, Section 1) is amended to read:

"34-1-9. SALARIES OF JUSTICES, JUDGES AND MAGISTRATES. --

A. Justices of the supreme court shall each receive
an annual salary [~~of seventy-seven thousand two hundred fifty
dollars (\$77,250)~~] as provided by the legislature. The chief
justice of the supreme court shall receive an annual salary
that is two thousand dollars (\$2,000) more than the annual
salary of a justice of the supreme court.

B. The chief judge of:

(1) the court of appeals shall receive an

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1 annual salary that is ninety-five percent of the annual salary
2 of the chief justice of the supreme court;

3 (2) a district court shall receive an annual
4 salary that is ninety-five percent of the annual salary of the
5 chief judge of the court of appeals;

6 (3) a metropolitan court shall receive an
7 annual salary that is ninety percent of the annual salary of
8 the chief judge of a district court; and

9 (4) a magistrate district consisting of three
10 or more magistrates shall receive an annual salary that is
11 seventy-five percent of the annual salary of the chief judge of
12 a metropolitan court.

13 C. Notwithstanding any other provision of law or
14 any other provision of this section, the annual salaries of the
15 following judges and magistrates shall be established as
16 follows:

17 (1) a judge of the court of appeals shall
18 receive an annual salary that is ninety-five percent of the
19 annual salary of a justice of the supreme court;

20 (2) a district court judge shall receive an
21 annual salary that is ninety-five percent of the annual salary
22 of a judge of the court of appeals;

23 (3) a metropolitan court judge shall receive
24 an annual salary that is ninety percent of the annual salary of
25 a district court judge;

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1 (4) a full-time magistrate shall receive an
2 annual salary that is seventy-five percent of the annual salary
3 of a metropolitan court judge;

4 (5) a half-time magistrate shall receive an
5 annual salary that is fifty percent of the annual salary of a
6 full-time magistrate; and

7 (6) a quarter-time magistrate shall receive an
8 annual salary that is twenty-five percent of the annual salary
9 of a full-time magistrate.

10 D. For ~~[the eighty-third]~~ fiscal year 1995 and all
11 subsequent fiscal years, the annual salary for justices of the
12 supreme court, judges of the court of appeals, district court
13 judges, metropolitan court judges and magistrates shall be
14 established by the legislature in an appropriations act.

15 E. No additional salaries shall be paid to
16 justices, judges or magistrates on account of services rendered
17 the state. Justices of the supreme court, judges of the court
18 of appeals, district court judges, metropolitan court judges
19 and magistrates shall receive per diem and mileage for
20 necessary travel on official business of the court as provided
21 in the Per Diem and Mileage Act. "

22 Section 2. APPROPRIATION. --Thirty-two thousand four
23 hundred dollars (\$32,400) is appropriated from the general fund
24 to the administrative office of the courts for expenditure in
25 fiscal year 2005 to provide for the salary differential of

. 149472. 1

1 chief judges. Any unexpended or unencumbered balance remaining
2 at the end of fiscal year 2005 shall revert to the general
3 fund.

4 Section 3. EFFECTIVE DATE. --The effective date of the
5 provisions of this act is July 1, 2004.

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